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Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2800



PATENT
ATTORNEY DOCKET NO.: 040894-7251

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Shinichi OOKUBO et al.)	Confirmation No.: 6869
)	
Application No.: 10/538,010)	Group Art Unit: 2838
)	
Filed: June 3, 2005)	Examiner: Tibbits, P. F.
)	
For: CORDLESS POWER TOOL)	Mail Stop RFR

Commissioner for Patents
Customer Window
Mail Stop RFR
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is a Request for Reconsideration Under 37 C.F.R. § 1.116 responding to the Final Office Action dated September 5, 2006.
2. Additional papers enclosed:

Drawings: Formal Informal (Correction)
 Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	7	minus	20	0	x \$50 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge _____ for _____ to Deposit Account 50-0310.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 5, 2006

By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

CUSTOMER NO.: 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Tel: 202-739-3000

Fax: 202-739-3001

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Sir:

REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.116

In response to the Final Office Action dated September 5, 2006, the period of response to which extends through December 5, 2006, entry of the following remarks is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.